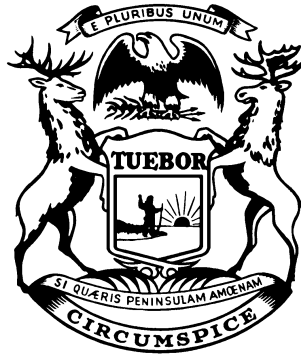


MACOMB COUNTY CIRCUIT COURT DRUG COURT



PARTICIPANT HANDBOOK

May 1, 2005

INTRODUCTION

Involvement in the Drug Court is very different for the defendant than being sentenced to a term of Probation. This program is for those individuals who are ready to be actively involved in making life changes, which will sustain abstinence and foster their growth and development in all areas. The Drug Court Team consists of two Circuit Court judges, trained clinicians and Probation Officers, a member of the Prosecutor's Office and a Defense attorney are all part of the Team, which jointly makes decisions in regards to the Court's response to the participant's progress.

PARTICIPANT OBLIGATIONS

1. I agree to abide by the requirements of the Drug Court Program as outlined in this Handbook and my Individual Treatment Plan as they may be changed from time to time. **I UNDERSTAND THAT THE REQUIREMENTS OF THE PROGRAM CAN AND WILL CHANGE FROM TIME TO TIME. I AGREE I WILL COMPLY WITH ANY CHANGES.** I agree to participate in the evaluation of the Drug Court Program by providing information to the Drug Court Team, staff and evaluator(s), including follow-up information following my graduation from the Program up to five years after my admission into the Program. I also agree to provide Drug Court staff with my current address and contact information for at least five years after my admission into the Program.
2. I agree not to leave the State of Michigan without specific approval of the Drug Court judge while in the Drug Court Program. I will keep Drug Court staff, my probation officer, and my treatment provider(s) advised of any telephone number or address changes.
3. I will notify any doctor or dentist I seek treatment from that I must have non-narcotic medication for any condition I have or following any dental or medical procedures.
4. I will participate fully in the Program of substance abuse and dependence treatment and counseling which the Drug Court Team determines necessary for me.
5. I agree to the terms and conditions of my initial Individual Treatment Plan. I understand my Individual Treatment Plan can and will be modified from time to time during my participation in the Drug Court. I agree to abide by any modifications to my Individual Treatment Plan during my participation in Drug Court. I also agree to be bound by my Aftercare Plan.
6. I will report to my probation officer, submit to drug testing, and report for Drug Court sessions as required by my Individual Treatment Plan and/or Drug Court staff or probation officer(s).

7. I understand that I will be subject to progressive sanctions, i.e. court responses at the discretion of the Drug Court judge for failure to comply with my obligations, Drug Court Rules, my Individual Treatment Plan, or directions of the Judge or Drug Court Team. I understand that any sanction imposed is determined by the Judge, with the input of the Team, according to the unique circumstances of each individual participant. Sanctions will not be the same for each of the participants.
8. I agree that Drug Court may take photographs of me upon entry into the Program and periodically to show progress.

DRUG COURT PROGRAM RULES

As a Drug Court participant, I understand that I am required to abide by the following rules:

1. **Do not use or possess any drugs or alcohol.**

Sobriety is the primary focus of this Program. Maintaining a drug free lifestyle is very important in your recovery process. This includes mood altering prescription drugs, i.e., benzodiazepines (Valium, Xanax, etc.); opiates (Tylenol 3, Percocet, Darvocet, etc.); and narcotics (morphine, methadone, etc.). Use of any of these substances may result in discharge from the Program.

2. **Do not go to casinos, other gambling establishments or to places that primarily serve alcoholic beverages.**

You must stay away from environments, which might trigger relapse. Therefore, do not go into casinos, race tracks, bars or restaurants, which emphasize or primarily serve alcoholic beverages on site. It is best not to go to establishments that serve any alcohol. Alcoholic beverages are a known trigger. Your presence in establishments that serve alcohol puts your future at risk!

3. **Report on time to your probation officer as directed.**

You must be prepared to provide a urine test at each visit. If you have any problem making an appointment, you are to call your probation officer. You must also report for any other random test as directed by your probation officer.

4. **Do NOT try to adulterate your test samples by drinking excessive amounts of water or flushing products!!!**

A critical component of success in Drug Court is demonstration that you are not using drugs or alcohol. You will be frequently tested. If you are caught even attempting to adulterate or flush you system in order to change test results, you will be SANCTIONED! If testing shows you have a low creatinine level, this will be considered evidence of flushing and a positive test! You will be SANCTIONED for low creatinine levels during tests, unless you can demonstrate a verifiable medical reason your creatinine level is not within the normal range.

5. **Attend all ordered treatment sessions.**

This includes individual and group counseling, educational sessions, and 12-step meetings. If you are unable to attend a scheduled session, you must contact notify the treatment provider prior to the appointment and notify your probation officer immediately.

6. **Be on time for appointments and Drug Court sessions.**

If you are late or miss appointments or sessions, you will be considered non-compliant. You must contact your probation officer in advance if there is a possibility you may be late or absent.

7. **Do not make threats toward other participants or staff or behave in a violent manner.**

Violent or inappropriate behavior will not be tolerated and will be reported to the Court. This will result in termination from the Program.

8. **While in the Drug Court Program, cohabitation or intimate relationships with other Drug Court participants will not be allowed.**

9. **Do not associate with known felons or anyone engaged in any behavior, which constitutes a violation of any criminal law. (Association with felons who are Drug Court participants, group outpatient clients, or support group members is permitted during these appropriate settings).**

10. **Dress appropriately for Court and treatment sessions.**

As a participant, you will be expected to wear a shirt or blouse, pants, dress, or skirt. Shoes must be worn at all times. Clothing bearing drug or alcohol related themes or promoting or advertising alcohol or drug use is considered inappropriate. Sunglasses are not to be worn inside Court or treatment center unless medically approved. Speak with your treatment team if you need assistance with clothing.

11. Comply with all conditions of probation as detailed on your Probation Order(s).

12. **While in Court, remain seated and quiet at all times.**

It is very important to observe appropriate behavior in Court for the benefit of yourself and others present.

PHASES, GRADUATION CRITERIA, AND TERMINATION CRITERIA

All Drug Court participants will be offered a comprehensive and integrated program of drug treatment and habilitation services, to be supervised by the Drug Court judges. The program requires a minimum of 21 months before program completion/graduation. A participant can potentially advance through Orientation, Phase I, Phase II and Phase III in less than the specified time, if he or she is performing above expectations. If a participant spends less time in the first three phases, the remainder of the 21 months will be spent in Phase IV prior to program completion/graduation and/or program completion. A person can also serve more time in these phases, if he or she does not comply with program requirements. Residential in-patient care is not considered to be time 'in the program.' Participants will be contacted periodically for follow-up and evaluation for a total of five years after their acceptance into the Drug Court. The program consists of the following phases:

Orientation	1 month
Phase I, Treatment Plan Development and Implementation	4 months
Phase II, Continuing Care and Relapse Prevention	4 months
Phase III, Maintenance	6 months
Phase IV, Mentoring Activities and stabilization	6 months
Total time in Program	21 months
Evaluation	5 years

The Phases are described in more detail below:

A. Orientation Length: 1 Month or Goal Achievement

Orientation begins after any inpatient treatment. Participants will be given a pocket calendar to track their obligations and scheduled appointments. During Orientation, participants will meet with their assigned probation officer for an orientation session. The officer and participant will review reporting procedures, their Individual Treatment Plan, education and/or education goals, home visitation procedures, drug testing procedures, travel arrangements, travel restrictions, and telephone communication with the Team.

Orientation includes:

- (1) Regular attendance at 12-step meetings (as directed by your Treatment Plan) and obtain a sponsor. You must possess and use a NA or AA handbook and other literature as directed. Drug Court will offer you the books. You are expected to reimburse Drug Court a reasonable amount for the books. Your Probation Officer will tell you the current amount;
- (2) Urine drug testing three times a week or, if appropriate, another method;
- (3) Random reports to a probation officer two times a week;
- (4) Weekly Drug Court appearances;
- (5) Additional services as determined by the Drug Court Team (i.e., employment counseling/search, medical, psychiatric, and/or psychological evaluations).
- (6) Engage in preparation for employment through education and/or engage in a search for employment.
- (7) Resume must be placed on-line with MI Works! And the Second Chance workshop completed not employed.

Advancement Criteria:

The general rule in the Drug Court will be that individuals will either move out of the orientation phase within 30 days or will be terminated from the Program for non-compliance or non-suitability for the Program. The following accomplishments are expected in order to enter Phase I of the Program:

- (1) Demonstrate an understanding of the Drug Court Program, what the participant needs to do in the Program and a commitment to follow his or her Individual Treatment Plan;
- (2) No unexcused absences from scheduled appointments or services for 14 consecutive days;
- (3) Documentation of required minimum attendance at 12-step meetings during the Orientation Phase, obtain a sponsor, and use the NA/AA books;
- (4) Acknowledge the extent of your substance abuse or dependence problem and make a commitment to live an alcohol and drug-free lifestyle;
- (5) Submit a written Phase I advancement request to your Probation Officer;
- (6) Create an Individual Development Plan with Drug Court Assessor or Supervisor.

B. Phase I – Development Plan Implementation

Length: 4 Months or Goal Achievements

In Phase I, the Individual Development Plan (IDP) during Orientation will be implemented over a period of four months. The treatment modality for each participant will be continued or assigned depending upon the needs of the individual. The general requirements in Phase I (in addition to the assigned treatment modality) are:

- (1) Continue regular attendance at 12-step meetings as directed by the IDP and continue working with your sponsor and select a home group within 30 days;
- (2) Drug testing three times a week;
- (3) Report to the probation officer two times a week or as directed. (Reports may be made in Probation office or at Court review session, or by phone, at the direction of the Probation Officer);
- (4) Community service as directed by the Drug Court Team. You are expected to find and maintain employment or pursue your education. If you are not working or going to school, the Drug Court Team may ask you to perform community service. Idle time increases your risk of relapse!
- (5) Engage in ancillary activities specified in your ITDP such as:
 - (i) Pursue education, including literacy, as appropriate. If you do not have a high school diploma, you must enroll in GED courses.
 - (ii) Continue searching for employment or continue in employment;
- (6) Engage in clean and sober recreation/fellowship;
- (7) Create and implement a program of physical exercise;
- (8) Learn and improve parenting skills, if applicable;
- (9) Engage in psychotherapy, if needed;
- (10) Report for Drug Court sessions every other week (or as directed by the Drug Court Team);
- (11) Obtain a Drug Court mentor, who is a graduate of a Drug Court program and agrees to provide on-going and continuous mentoring support to the participant.

Initially mentors will be recruited from graduates of Drug Courts in neighboring courts;

- (9) Begin payment of restitution, if any, consistent with ability to pay; and,
- (10) Pay all or part of the Drug Court fee, treatment, testing, supervision fees, defense and court costs, consistent with ability to pay.

Advancement Criteria:

- (1) Participant must be able to function acceptably in an outpatient program;
- (2) No positive drug test results for 60 consecutive days;
- (3) Completion of any community service, as directed by the Drug Court Team;
- (4) Confirmation by probation officer that there are no further criminal charges by a record check;
- (5) No unexcused absences from scheduled services for 21 consecutive days;
- (6) Employed (verified by probation officer) or positive response to vocational/educational goals;
- (7) Documented required attendance at 12-step meetings for a minimum of 45 days initially and 4 meetings per week thereafter;
- (8) Demonstration of a positive adjustment to treatment;
- (9) Must have a 12-step sponsor and a Drug Court mentor; and,
- (10) Submittal of a written Phase II advancement request to your Probation Officer, which includes a plan of action for the participant, with specific measurable goals.

C. Phase II – Continuing Care and Relapse Prevention
Length: 4 Months or Goal Achievement

In Phase II, participants' IDP will be updated. If not modified, participants will continue their treatment modality. Counseling and meetings will focus on areas that are challenging for the participant and identify ways of coping with stressful situations. Relapse prevention efforts will be essential. Phase II requires, at a minimum, continuation of the participant's treatment modality and:

- (1) Attend 12-step meetings as directed by the Drug Court Judge/Team, maintain a sponsor, and work the 12 steps;

- (2) Drug testing three times per week. Extra tests may be directed to ensure randomness and further incentivize participants;
- (3) Report to your Probation Officer two times a week. (Reports may be made in the Probation Office, at the Court review session, or by phone at the direction of the Probation Officer);
- (4) Update your IDP;
- (5) Clean and sober recreation/fellowship;
- (6) Community service as directed by the Drug Court Team. You are expected to find and maintain employment or pursue your education. If you are not working or going to school, the Drug Court Team may ask you to perform community service. Idle time increases your risk of relapse!;
- (7) Continue a consistent program of exercise;
- (8) Other case management services, as determined by the Drug Court Team;
- (9) Report for monthly court appearances, or as determined by the Drug Court Team;
- (10) Follow up on the goals set in the application for advancement to Phase II.
- (11) Payment of the Drug Court fee and restitution, consistent with ability to pay; and,
- (12) Payment of all or part of treatment, testing, supervision fees, defense and court costs, consistent with ability to pay.

Advancement Criteria:

- (1) No positive drug tests for 90 consecutive days;
- (2) Confirmation by the probation officer that participant has no further criminal charges;
- (3) No unexcused absences from scheduled services and/or activities for 60 consecutive days;
- (4) Compliance with all other Phase II requirements, including community service;
- (5) Employed or positive response to vocational and/or educational goals. Employment is to be verified by the probation officer;
- (6) Continued documented attendance at 12-step meetings as directed, with a sponsor, for a minimum of 4 meetings per week. The participant is to bring the sponsor to

at least one Drug Court session to introduce the sponsor to the Team and other participants;

- (7) Verbal expression of understanding of 12-step concepts;
- (8) Demonstrated positive adjustment to treatment;
- (9) Progress toward IDP goals;
- (10) Advancement recommended by 12-step sponsor and Drug Court mentor (if any);
- (11) Submittal of a written Phase III advancement request;
- (12) Continued payment of restitution, consistent with ability to pay; and,
- (13) Continued payment of treatment, testing, supervision fees, defense and court costs, consistent with ability to pay.

D. Phase III – Maintenance
Length: 6 months or Goal Achievement

Phase III addresses ongoing recovery needs, including maintaining total abstinence from all drugs. The focus is on daily living skills. This phase is designed to support the participant in his/her return to the community as a productive and responsible member. Phase III requirements include, at a minimum, continuation of the participant's treatment modality and:

- (1) Regular attendance at 12-step meetings, as directed, and maintain a sponsor;
- (2) Drug testing twice per week or as directed. Random additional tests may be ordered;
- (3) Report to your probation officer once a week; (Reports may be made at the Probation Office, at the Court review session or by phone at the direction of the Probation Officer);
- (4) Ongoing review and updating of IDP;
- (5) Clean and sober recreation/fellowship;
- (6) Complete 24 hours of community service as well as any Probation Order community service;
- (7) Continue a consistent exercise program;
- (8) Other case management services as determined necessary by the Drug Court Team;

- (9) Report to the Drug Court session once per month or as directed by the Drug Court Team;
- (10) Maintain full-time employment and/or progress toward an educational goal. Employment or progress is to be verified by the probation officer;
- (11) Continued payment of restitution, consistent with ability to pay; and,
- (12) Continued payment of all or part of treatment, testing, supervision fees, defense and court costs, consistent with ability to pay.

Advancement Criteria:

- (1) Acceptable level of sobriety (no positive drug tests for a minimum of 180 consecutive days) as determined by the Drug Court Team;
- (2) Confirmation by the probation officer that participant has no further criminal charges;
- (3) Obtained gainful, consistent employment or is sufficiently involved in a vocational/educational training program, as determined by the Drug Court Team and verified by the probation officer. If retired, uses time constructively as determined by the Drug Court Team;
- (4) Maintained consistent attendance at all court appearances and team appointments;
- (5) No unexcused absences from scheduled appointments or services for 45 consecutive days;
- (6) Achieved stable living arrangements and healthy interpersonal relationships, as determined by the Drug Court Team;
- (7) Achieved an understanding of the personal problems of addiction, criminal behavior, and relapse prevention, as demonstrated through advancement letter;
- (8) Created and agreed to an Aftercare Plan;
- (9) Substantially fulfilled or making advancement towards the goals stated in the participant's IDP;
- (10) Documented attendance at required 12-step meetings, working the steps, with a sponsor;

- (11) Completed all required community service hours;
- (12) Proof of attendance at all other events as required by the Drug Court judge;
- (13) Proof of completion of GED, if required by the Drug Court judge;
- (14) Proof of implementation of a healthy lifestyle, such as a regular physical exercise program, leisure activities, recreation/fellowship, or participation in church or other supportive organizations; and,
- (15) Payment of all agreed upon restitution; treatment, testing, and supervision fees; and defense costs, consistent with ability to pay.

E. Phase IV Aftercare/ Mentoring/Graduation
Length: 6 months

This phase requires the implementation of a Personal Aftercare Plan, which must include, at a minimum:

- (1) Random drug testing at the probation officer's discretion;
- (2) Report to the probation officer as directed;
- (3) Attend 12-step meetings at least twice a week;
- (4) Attend individual counseling as determined by the participant and Drug Court Team;
- (5) Employment (verified by probation officer) or pursuing educational goals;
- (6) Become a mentor to a new Drug Court participant approved by the Drug Court Team and attend Drug Court Sessions with mentee, if possible;
- (7) Sponsor others in 12-step program(s);
- (8) Strengthen family and community ties;
- (9) Cooperate by providing post-program evaluation information, including keeping the Drug Court informed of current address and phone number(s);
- (10) Report to the Drug Court judge on progress/accomplishment as directed;
- (11) Payment of all agreed upon restitution; treatment, testing, and supervision fees; and defense costs, consistent with ability to pay.
- (12) Preparation of Personal application for program completion/graduation.

Graduation/program completion will occur at the end of Phase IV and upon successful achievement of the Individual Development Plan goals.

COURT RESPONSES

The Drug Court Program will include graduated sanctions and rewards, which may be applied as an immediate and direct consequence of failure to comply with Program requirements or a reinforcement of positive behavior.

Sanctions will be different for each Drug Court participant, even when circumstances seem to be similar. Each person has different needs and concerns. It is the goal of the Drug Court Team to utilize tools, which help each individual attain recovery.

Treatment providers will be an integral part of the Drug Court Program. Treatment providers will be required to report to the Drug Court Team the progress, lack of progress or failures which justify sanction. Treatment providers will be expected to increase treatment services as called for by the lack of progress by those in treatment.

Behaviors which may result in a sanction include a failed drug test (failure to submit a sample, adulteration of a sample, and use of a device or substance to effect test results will also be treated as a failed drug test); failure to report for drug testing, a Drug Court session, scheduled treatment, or to a probation officer without a reasonable and legitimate excuse; use of alcohol, drugs or unauthorized medication/relapse; (the admission of a slip and efforts to avoid future relapse will help); failure to perform an act required by the person's IDP; failure to comply with conditions of tether; assaultive, abusive or intimidating behavior; criminal activity; lying about acts he or she should have performed; disobedience of a direction; or other significant departure from the conduct required by the Drug Court Program.

The Drug Court judge, with input from the Drug Court Team, will employ a sanction, which may include the following graduated interventions upon learning of significant lapses to assist participants in complying with the Program:

- (1) Admonishment from the Drug Court judge;
- (2) Writing a short essay to be submitted to the Drug Court judge and read during a Drug Court session. The essay will explain the behavior which led to the sanction, how the participant views the error and how the participant will change his or her behavior to avoid a similar error;
- (3) Increased frequency of court appearances;
- (4) Increased frequency of random drug testing or a change in the type of testing;
- (5) Increased level of treatment and supervision. The participant may be demoted to the previous Phase of the program;

- (6) Confinement to a courtroom to observe court proceedings;
- (7) Day of observation in the jail lobby to observe inmate releases;
- (8) Imposition of a curfew on the participant which restricts the person's freedom during certain hours of the day;
- (9) Assignment of a specified number of hours of work in the Community Corrections MARCH program or community service;
- (10) Placement of the participant on a tether system. A tether system that is capable of detecting alcohol on a real time 24-hour basis is becoming available in the near future. This system would be ideal for an individual abusing or dependent upon alcohol. The participant would be responsible for the cost of the system, consistent with ability to pay;
- (11) Escalating periods of incarceration. Weekend incarceration to allow participants to pursue education, employment, treatment and other services will be an option. A daily work release program from incarceration will also be an option;
- (12) Formal probation violation.

TERMINATION

Participants may be terminated from the Drug Court Program for willful failure or inability to comply with the terms and conditions of their Individual Treatment/Development Plan or Drug Court Participation Contract, including any changes to their Individual Treatment Plan imposed by the Court through the Drug Court Team. In ordering a participant's termination from the Drug Court Program, the Court will consider such factors as, but not limited to, the following: the nature of the violation, the duration the participant has been in the Program, the number of previous violations, the participant's criminal history, whether the participant's substance abuse and dependence can be abated within the time limitations set by the Program, the participant's desire to achieve sobriety, as evidenced by the nature and quality of prior positive steps to maintain sobriety, and whether the nature of the violation would have initially precluded the participant from being accepted into the Program.

On finding a probable probation violation, the Drug Court judge may remove a participant from the Program, schedule and conduct a probation violation hearing with a right to counsel and impose an appropriate sentence. Any underlying felony charges which led to the probation violation that resulted in referral to the Drug Court can be removed from the inactive docket and proceed to trial.